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▲ Lvl. 2

State
replied

Poland

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Poland Opens Investigation over Article Critical of Constitutional Tribunal President

SOURCE OF THREAT ▶ State

CATEGORY ⓘ ▶ Other acts having chilling effects on media freedom

PARTNER: AEJ


The Warsaw regional prosecutor's office has opened a criminal investigation against a journalist in a case alleging "a public insult or humiliation against a constitutional authority of the Republic of Poland".

The case concerns an article in the Gazeta Wyborcza newspaper published on 20 October 2017 in which Wojciech Czuchnowski alleged that the head of the Constitutional Tribunal works for the country's security services with the aim of ensuring that the court serves the interests of Poland's current political leadership. Last year Czuchnowski was harshly criticised by the National Prosecutor's Office for a publication in Gazeta Wyborcza in which he allegedly insulted the country's chief prosecutor. The prosecutor demanded a public apology and the payment of a donation of 15,000 euro to a charitable foundation. Gazeta Wyborcza refused to apologise or make the payment and the case has so far not been pursued by the National Prosecutor's Office.

The offence in the present case carries a fine or a maximum prison term of two years.

The investigation was initiated after Julia Przyłębska, the president of the Tribunal, reported the article to the Prosecutor's Office in November 2017. Gazeta Wyborcza was formally notified of the opening of the investigation on 10 January 2018.

STATE REPLIES

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➔ Letter from the Permanent Representation of Poland to the
Council of Europe

